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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## Application of

Applicants : Phelps et al.  
Serial No. : 10/625,915  
Filed : July 23, 2003  
Title : **NON-TOXIC CORROSION-PROTECTION RINSES AND SEALS  
BASED ON RARE EARTH ELEMENTS**  
Docket : UVD 0280 IA/UD 268  
Examiner : L. Zheng  
Confirm. No. : 3052  
Art Unit : 1742

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877/271-8300) on December 12, 2006.

*Patricia L. Prior*  
Attorney - Patricia L. Prior Reg. No. 33,758

Sir:

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Applicants hereby request a refund in the amount of \$130.00. Due a secretarial error, two Terminal Disclaimers (Statutory disclaimers), filed on May 11, 2006, were overpaid. \$260.00 was paid for the two terminal disclaimers (statutory disclaimers) on May 11, 2006 via Credit Card Payment Form (PTO-2038). According to the USPTO Fee Schedule, the amount for two Small Entity Terminal Disclaimers (Statutory disclaimers) 37 CFR 1.20(d) is \$130.00. Applicants claim small entity status. See 37 CFR 1.27.

Accordingly, Applicants request a refund in the amount of \$130.00 be sent in the form of a check to the address below. Please direct any questions or comments to the undersigned attorney.

Respectfully submitted,  
DINSMORE & SHOHL LLP

By: *Patricia L. Prior*  
Patricia L. Prior  
Registration No. 33,758

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PLP/AMM

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FROM: Diemoro &amp; Shohl Dayton

0374408405 MAY 11 2006 P.007/068 F-207

PTO/SB/25 (09-04)

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UVD 0280 1A/UD 268

In re Application of: Phelps et al

Application No.: 10/325,915

Filed: July 23, 2003

For: NON-TOXIC CORROSION-PROTECTION CONVERSION COATES BASED ON RARE EARTH ELEMENTS

The owner, University of Dayton, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application Number 10/325,885, filed on July 23, 2003, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

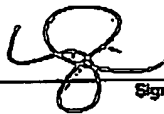
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2. ☒ The undersigned is an attorney or agent of record. Reg. No. 42,695



Signature

William A. Jividen

Typed or printed name

05/11/2006

Date

(937) 449-6400

Telephone Number

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Adjustment dates: 01/03/2007 ZJUHR1  
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FROM:Dinsmore &amp; Shohl Dayton

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**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING  
REJECTION OVER A PENDING "REFERENCE" APPLICATION**Docket Number (Optional)  
LVD 0280 IAUD 268

In re Application of: Phelps et al

Application No.: 10/625,815

Filed: July 23, 2003

For: NON-TOXIC CORROSION-PROTECTION CONVERSION COATES BASED ON RARE EARTH ELEMENTS

The owner, University of Dayton, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application Number 10/625,886, filed on July 23, 2003, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record. Reg. No. 42,695



Signature

William A. Jividen

Typed or printed name

05/11/2008

Date

(937) 449-8400

Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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